

REMARKS

The specification has been amended as needed so as to place this application in condition for disposal at the time of the next Official Action.

The claims previously in the case have been replaced by a set of new claims that are believed to be proper as to form and clearly patentable over the cited references.

The new claims omit the "characterized" feature of original claim 1, which is taught by the applied reference of MERRICK et al. 3,812,961 and so need not be recited in the new claims.

With this exception, new claim 9 is allowed claim 3 rewritten in independent form.

With the same exception, new claim 10 is claim 2 rewritten in independent form, with the recitation of longitudinal rows of empty bores being arranged on both lateral sides of the longitudinal row of screws.

New claim 11 recites plural longitudinal rows of bores disposed in side-by-side relation thereby to impart stiffness to the framework.

Reconsideration is accordingly respectfully requested, for the rejection of the claims as anticipated by or unpatentable over MERRICK et al., alone or in view of ELLIOTT, or as unpatentable over ELLIOTT.

ELLIOTT is of course much less pertinent than MERRICK et al., disclosing as it does a paper by which nails or tacks are packaged for easy removal. This has nothing to do with driving nails or tacks, much less screws.

MERRICK et al., on the other hand, does indeed deal with driving screws, but by means of an automatic driver in which a line of screws of indefinite length is consecutively fed. See column 1, lines 32 and 33 and column 2, lines 13 and 14 of MERRICK et al.

In such an automatic machine, which advances a line of screws, a problem arises how to store a supply of screws. This is solved, by making the line of screws flexible and of any desired length, and winding it in a coil. See column 2, lines 5-9 of MERRICK et al. Making the string of screws of MERRICK et al. rigid in the lateral direction, would entirely defeat this purpose.

By the same token, however, MERRICK et al. cannot be used in a hand-held operation, because the very flexibility which makes the MERRICK et al. construction useful, would defeat the purpose: the individual screws could wobble from side to side and become misaligned from the vertical upon manual insertion, because of the very flexibility that makes MERRICK et al. useful in an automatic driving device.

Thus, the device of the present invention is a device entirely different from that of MERRICK et al., for an entirely

different purpose (hand-held or manual application of the screws), in an entirely different way.

To this end, the present invention provides a form-stiff magazine that may be grasped conveniently in one hand while the other hand operates a screwdriver to drive the selected screw.

Form-stiffness is imparted to the device of the present invention, by the provision of a plurality of rows of bores at least some of which contain screws. These are longitudinally extending rows disposed in side-by-side relationship, thereby to avoid the flexibility which would characterize a single row of bores as in MERRICK et al.

This arrangement has a number of unobvious advantages:

1. In the first place, a large number of screws can be accommodated in a short length, if there is a plurality of longitudinally extending side-by-side rows of screws in the bores.

2. The short length of the device thus provided makes it convenient to carry a maximum number of screws in a package that can be easily carried in the clothing of the user.

3. The short length and rigidity and substantial thickness of the device of the present invention provides a structure which is easy to hold in one hand while using a screwdriver with the other hand.

4. The plural rows of bores, longitudinally extending and disposed side by side, prevent bending of the device when held in one hand, despite the fact that torque is being applied to one of the screw with a screwdriver. This means that the screw will be held straight, in the same orientation that it had before the torque was applied. As pointed out above, this is impossible with MERRICK et al.

5. As the device of the present invention does not change shape, it can be used as-packaged. Thus, it is not necessary to open a box and take out a screw, or to unwrap and insert a coil of screws as in MERRICK et al. It is necessary only for, say, a home craftsman, to buy a conveniently shaped package with the number of screws limited only by the number of side-by-side longitudinally extending lateral rows of screws, and then to press this package against the work piece and drive the selected screw without danger of the screw misaligning. Where in the prior art is there any conceivable hint of this, much less a teaching?

It is believed that the new claims clearly bring out these aspects of the invention with ample particularity and distinctness and so are patentable over the cited references no matter how combined or applied.

In view of the present invention and the foregoing remarks, therefore, it is believed that this application has been

placed in condition for allowance, and reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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A handwritten signature in black ink, appearing to be 'Robert J. Patch', written over a horizontal line.

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